

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AL	18/012/2018
Planning Development Manager authorisation:	AN	18/12/18
Admin checks / despatch completed	[Signature]	19/12/18.

**Application:** 18/00676/FUL **Town / Parish:** Ramsey & Parkeston Parish Council

**Applicant:** Mr Gary Stapleton

**Address:** 54 Hamilton Street Parkeston Harwich

**Development:** New detached dwelling on adjacent land.

### 1. Town / Parish Council

Ramsey & Parkeston Parish Council      The view of the Ramsey & Parkeston Parish Council is No Objection to the application.

### 2. Consultation Responses

ECC Highways Dept      The Highway Authority raises an objection to the above application for the following reasons:

1      As far as can be determined from the submitted plans the proposal fails to provide sufficient and workable off road parking facilities in accord with current Parking Standards. The proposal would lead to additional vehicles being left parked in the adjoining highway adding to the existing parking stress in this area and causing conditions of congestion, danger and obstruction, contrary to the interests of highway safety and contrary to Policy DM 1 and 8 of the Highway Authority's Development Management Policies February 2011.

2      There is insufficient space in front of the donor dwelling for a vehicle to stand entirely clear of the footway which will constitute a danger to pedestrians contrary to highway safety and Policy DM 1 of the Highway Authority's Development Management Policies February 2011.

The proposal is therefore contrary to the relevant policies contained within the County Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011.

Building Control and Access Officer      An Anglian Water foul sewer runs through the site of the proposed dwelling and as such a Build over agreement will be required.

Tree & Landscape Officer      The application site appears to currently form part of the residential curtilage of the property.

The site contains two small fruit trees, an apple and a Pear as well as a row of hedging conifers on the northern boundary that have been reduced to a height of approximately 2.5m.

None of the trees or other vegetation on the application site merit

retention or formal protection by means of a tree preservation order.

There appears to be little opportunity for new soft landscaping although the site layout plan shows new shrubs on the boundary with the highway.

The planting could be secure by condition.

ECC Highways Dept

AMENDED DRAWINGS NUMBERED 93 - 2017-21 pb DATED 12 OCTOBER 2018

From a highway and transportation perspective the impact of the proposal is acceptable to Highway Authority subject to the following mitigation and conditions:

1 Prior to the first occupation of the proposed development, the proposed vehicular access shall be reconstructed in complete accord with the details shown in Drawing Numbered 93-2017-21-pb and at right angles to the highway boundary and shall be provided with an appropriately constructed connection to Curds Road to the specifications of the Highway Authority.

Reason: To ensure that vehicles using the site access do so in a controlled manner, in the interests of highway safety and in accordance with Policy DM 1 of the Highway Authority's Development Management Policies February 2011.

2 No unbound materials shall be used in the surface treatment of the proposed vehicular access throughout.

Reason: To ensure that loose materials are not brought out onto the highway, in the interests of highway safety and in accordance with Policy DM 1 of the Highway Authority's Development Management Policies February 2011.

3 The parking spaces / vehicular hardstandings shall be constructed to minimum dimensions as shown in the amended Drawing Numbered 93-2017-21-pb and retained thereafter.

Reason: To encourage the use of off-street parking, in the interests of highway safety and in accordance with Policy DM 1 and 8 of the Highway Authority's Development Management Policies February 2011.

4 Prior to the occupation of the proposed development, details of the provision for the storage of bicycles sufficient for all occupants of that development, of a design this shall be approved in writing with the Local Planning Authority. The approved facility shall be secure, convenient, covered and provided prior to the first occupation of the proposed development hereby permitted within the site which shall be maintained free from obstruction and retained thereafter.

Reason: To promote the use of sustainable means of transport in accordance with Policy DM 1 and 9 of the Highway Authority's Development Management Policies February 2011.

Informative1: All work within or affecting the highway is to be laid out and constructed by prior arrangement with and to the requirements and specifications of the Highway Authority; all details shall be agreed before the commencement of works.

The applicants should be advised to contact the Development Management Team by email at [development.management@essexhighways.org](mailto:development.management@essexhighways.org) or by post to:

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653 The Crescent,  
Colchester  
CO4 9YQ

UU Open Spaces

Response from Public Experience  
Open Space & Play

Application Details

Application No: 18/00676/FUL

Site Address: 54 Hamilton Street Parkeston Harwich

Description of Development: New detached dwelling on adjacent land

Current Position

There is currently a deficit of -2.70 hectares of equipped play in Ramsey and Parkeston and -0.93 hectares of formal open space.

Recommendation

No contribution is requested for this application

### **3. Planning History**

None relevant.

### **4. Relevant Policies / Government Guidance**

NPPF National Planning Policy Framework July 2018

National Planning Practice Guidance

Tendring District Local Plan 2007

QL9 Design of New Development

QL10 Designing New Development to Meet Functional Needs

QL11 Environmental Impacts and Compatibility of Uses

HG3 Residential Development Within Defined Settlements

HG6 Dwelling Size and Type

HG9 Private Amenity Space

HG14 Side Isolation

TR1A Development Affecting Highways

TR7 Vehicle Parking at New Development

Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017)

SPL2 Settlement Development Boundaries

SPL3 Sustainable Design

LP1 Housing Supply

LP3 Housing Density and Standards

LP4 Housing Layout

CP1 Sustainable Transport and Accessibility

Local Planning Guidance

Essex County Council Car Parking Standards - Design and Good Practice

### **Status of the Local Plan**

The 'development plan' for Tendring is the 2007 'adopted' Local Plan. Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF. Paragraph 48 of the NPPF also allows weight to be given to policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies and the degree of consistency with national policy. As of 16th June 2017, the emerging Local Plan for Tendring is the Tendring District Local Plan 2013-2033 and Beyond Publication Draft.

Section 1 of the Local Plan (which sets out the strategy for growth across North Essex including Tendring, Colchester and Braintree) was examined in January and May 2018 and the Inspector's initial findings were published in June 2018. They raise concerns, very specifically, about the three 'Garden Communities' proposed in north Essex along the A120 designed to deliver longer-term sustainable growth in the latter half of the plan period and beyond 2033. Further work is required to address the Inspector's concerns and the North Essex Authorities are considering how best to proceed.

With more work required to demonstrate the soundness of the Local Plan, its policies cannot yet carry the full weight of adopted policy, however they can carry some weight in the determination of planning applications. The examination of Section 2 of the Local Plan will progress once matters in relation to Section 1 have been resolved. Where emerging policies are particularly relevant to a planning application and can be given some weight in line with the principles set out in paragraph 48 of the NPPF, they will be considered and, where appropriate, referred to in decision notices. In general terms however, more weight will be given to policies in the NPPF and the adopted Local Plan.

In relation to housing supply:

The NPPF requires Councils to boost significantly the supply of housing to meet objectively assessed future housing needs in full. In any one year, Councils must be able to identify five years' worth of deliverable housing land against their projected housing requirements (plus an appropriate buffer to ensure choice and competition in the market for land, account for any fluctuations in the market or to improve the prospect of achieving the planned supply). If this is not possible, or housing delivery over the previous three years has been substantially below (less than 75%) the housing requirement, paragraph 11 d) of the NPPF requires applications for housing development needing to be assessed on their merits, whether sites are allocated for development in the Local Plan or not. At the time of this decision, the Council is able to demonstrate a robust five year supply of deliverable housing sites (as confirmed in recent appeal decisions) and housing delivered over the previous three years has been comfortably above 75% of the requirement. There is consequently no need for the Council to consider an exceptional departure from the Local Plan on housing supply grounds and applications for housing development are to be determined in line with the plan-led approach.

## **5. Officer Appraisal (including Site Description and Proposal)**

### Site Description

The application relates to the land to the north of number 54 Hamilton Street, Parkeston. The site comprises of a detached garage, vehicular access, parking and the side garden area serving number 54. The rear and opposite are existing residential dwellings with commercial units to the north. The area is predominately characterised by terraced properties.

### Description of Proposal

The application seeks full planning permission for the erection of 1 no. detached 3 bedroom property with associated parking and rear garden space

### Assessment

The main considerations in this instance are;

- Principle of Development;
- Design and Impact;
- Residential Amenities;
- Highways and Parking;
- Financial Contribution toward Open/Play Space;
- Representations.

### Principle of Development

The site lies within the Harwich Settlement Development Boundary as defined within both the adopted and emerging Tendring District Local Plans where the principle of residential development is acceptable subject to the detailed considerations set out below.

### Design and Impact

The application proposes a 3 bedroom detached dwelling of a traditional design and materials. Although detached, the dwelling mimics the forward facing gable roof arrangement and scale of number 54 therefore appearing in keeping within the street scene. The dwelling is set back within its plot, slightly behind the donor dwelling and retains over 3 metres to the donor dwelling. This spacing together with its siting at the end of the row adjacent to the open car park to the north ensures that the dwelling does not appear cramped and sits comfortably within the plot. The frontage will remain open for parking contributing to the spacious feel of the development.

The proposed materials, as detailed on the plans, are an antique red brick and smooth grey plain tiles to the roof. The detailed design of the dwelling includes brickwork soldier courses to doors and windows with re-constituted stone sills to windows.

Overall, the design and appearance is considered acceptable and the development will not be harmful to visual amenities or the character of the area overall.

### Residential Amenities

The proposed dwelling is located at the end of the row of terraced properties adjacent to the car park area serving some commercial uses. The siting of the dwellings retains over 3 metres to the donor dwelling. The new property and donor dwelling will be served by a private amenity space that exceeds 100 square metres as required by saved Policy HG9 of the adopted Tendring District Local Plan 2007.

The side facing windows are to be high level or obscure glazed serving secondary room only. The rear first floor windows serve a bedroom and bathroom. Ample spacing is retained to the neighbouring properties to the rear of the site fronting Tyler Street.

The proposal will result in an acceptable standard of amenity for existing and future occupants and is therefore considered acceptable in residential amenity terms.

### Highways and Parking

The application has been amended and now overcomes the original objections raised by Essex County Council Highway Authority.

The access and parking arrangements therefore accord with standards and The Highway Authority raise no objections subject to conditions which will be imposed where necessary.

#### Financial Contribution toward Open/Play Space

The Council's Open Space Team have been consulted on the application and do not wish to seek a financial contribution from the development.

No contribution is required.

#### Representations

Ramsey and Parkeston Parish Council raise no objection.

No individual letters of representation have been received.

#### Conclusion

In the absence of any material harm resulting from the development, the application is recommended for approval.

### **6. Recommendation**

Approval - Full

### **7. Conditions**

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason - To comply with the requirements of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans (including materials details): Drawing No. 93-2017-21PB, Drawing No. 93-2017-22PA and Drawing No. 93-2017-23PA.

Reason - For the avoidance of doubt and in the interests of proper planning.

- 3 Prior to the first occupation of the proposed development, the proposed vehicular access shall be reconstructed in complete accord with the details shown in Drawing Numbered 93-2017-21-PB and at right angles to the highway boundary and shall be provided with an appropriately constructed connection to Hamilton Street to the specifications of the Highway Authority.

Reason - To ensure that vehicles using the site access do so in a controlled manner, in the interests of highway safety.

- 4 No unbound materials shall be used in the surface treatment of the proposed vehicular access throughout.

Reason - To ensure that loose materials are not brought out onto the highway, in the interests of highway safety.

- 5 The parking spaces / vehicular hardstandings shall be constructed to minimum dimensions as shown in the amended Drawing Numbered 93-2017-21-PB and retained thereafter in this approved form for the sole purpose of parking.

Reason - To encourage the use of off-street parking, in the interests of highway safety.

- 6 Notwithstanding the provisions of Article 3, Schedule 2 Part 2 Class A of the Town and Country Planning (General Permitted Development) England Order 2015 (or any Order revoking and re-enacting that Order with or without modification), other than the boundary treatments shown on the approved drawings, no provision of fences, walls, gates or other means of enclosures, shall be erected on any part of the site forward of the front elevation of the dwelling hereby approved.

Reason - To ensure that access and egress is maintained in the interests of parking and highway safety.

- 7 No construction works or deliveries in connection with the development shall take place outside the hours of 0730 hours and 1800 hours Monday to Friday and 0800 hours and 1300 hours Saturdays, with the exception of any piling or other percussive works which shall not take place outside the hours of 0800 hours and 1700 hours Monday to Friday.

Reason - To protect the local amenity and reduce the likelihood of complaints of statutory nuisance as the site is within close proximity to existing dwellings.

- 8 Notwithstanding the provisions of Article 3, Schedule 2 Part 1 Classes A, B and E of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), there shall be no additions to the dwelling or the roof, nor shall any buildings, enclosures, swimming or other pool be erected except in accordance with drawings showing the design and siting of such additions or building(s) which shall previously have been submitted to and approved, in writing, by the Local Planning Authority.

Reason - Planning permission is granted for a dwelling and it is necessary for the Local Planning Authority to be able to consider and control further development in order to ensure that adequate usable private amenity space is retained on the plot and that any development is acceptable in design terms and in the interests of residential amenity.

- 9 All new hardstanding and parking areas shall be made of porous materials, or provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the site.

Reason - In the interests of sustainable development and to ensure that run-off water is avoided to minimise the risk of surface water flooding.

## **8. Informatives**

### Positive and Proactive Statement

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Agent, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

### Building Control Informative

An Anglian Water foul sewer runs through the site of the proposed dwelling and as such a Build over agreement will be required.

### Highways Informative

All work within or affecting the highway is to be laid out and constructed by prior arrangement with and to the requirements and specifications of the Highway Authority; all details shall be agreed before the commencement of works.

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